

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**HOME INSTEAD, INC., a Nebraska
Corporation,**

Plaintiff,

v.

**FRANCISCO O. MENDOZA, VIANNEY A.
MENDOZA, and VANESSA DE VERA
a/k/a VENESSA DEVERA,**

Defendants.

CASE NO. 8:10CV50

**ORDER AND
FINAL JUDGMENT**

This matter is before the Court on the Motion to Dismiss (Filing No. 17) filed by Plaintiff Home Instead, Inc. Plaintiff represents that Defendants have no objections to this motion. Under Federal Rule of Civil Procedure 41(a)(2) the Court finds the motion should be granted and the action should be dismissed without prejudice. The parties will bear their own costs and attorney fees.

Accordingly,

IT IS ORDERED:

1. Plaintiff's Motion to Dismiss (Filing No. 17) is granted;
2. All claims asserted by Plaintiff Home Instead, Inc. against Defendants Francisco O. Mendoza, Vianney A. Mendoza, and Vanessa Devera a/k/a Venessa Devera are dismissed without prejudice; and
3. The parties will bear their own costs and attorney fees.

DATED this 29th day of April, 2010.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge